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**1 — Tar Creek Superfund Site work continues, piece by piece, Tulsa World, 12/25/17**

[http://www.tulsaworld.com/news/state/tar-creek-superfund-site-work-continues-piece-by-piece/article\\_4fdf682c-7994-555c-9704-e20904cbe7e0.html](http://www.tulsaworld.com/news/state/tar-creek-superfund-site-work-continues-piece-by-piece/article_4fdf682c-7994-555c-9704-e20904cbe7e0.html)

On a cloudy, misty day the view from the top of the Fisher Chat Pile, which towers some 150 to 200 feet above the ghost town of Picher, offers a scope and feel that fits the seemingly never-ending 40-square-mile cleanup project area that is the Tar Creek Superfund Site.

**2 — Development continues at Oklahoma Superfund site, AP, 12/25/17**

<http://www.mysanantonio.com/news/article/Development-continues-at-Oklahoma-Superfund-site-12453440.php>

As the Environmental Protection Agency considers whether a site contaminated with cancer-causing chemicals is one of the nation's worst, development continues unabated behind it and a large land sale has occurred across the street.

**3 — Nutrient proposal advances, Arkansas Democrat-Gazette, 12/26/17**

<http://www.arkansasonline.com/news/2017/dec/26/nutrient-proposal-advances-20171226/?f=latest>

The first proposed outline to trade nutrients through a watershed has been approved to take to Arkansas' pollution control board nearly three years after the state Legislature voted to allow the proposals.

**4 — EPA, DOJ Announce Settlement Agreement with Carbon Black Producer, Sid Richardson Carbon and Energy Company, MilTech, 12/22/17**

<http://www.military-technologies.net/2017/12/23/epa-doj-announce-settlement-agreement-with-carbon-black-producer-sid-richardson-carbon-and-energy-company/>

The U.S. Environmental Protection Agency (EPA) and the Department of Justice (DOJ) announced today a settlement resolving Clean Air Act claims by the United States and the states of Louisiana and Texas against carbon black manufacturer Sid Richardson Carbon and Energy Company.

**5 — U.S. inadequately prepared to handle public health crises, with Oklahoma ranked just below average, study finds, Tulsa World, 12/25/17**

[http://www.tulsaworld.com/news/state/u-s-inadequately-prepared-to-handle-public-health-crises-with/article\\_29122fcc-713d-5404-a298-3cfc613f8c4c.html](http://www.tulsaworld.com/news/state/u-s-inadequately-prepared-to-handle-public-health-crises-with/article_29122fcc-713d-5404-a298-3cfc613f8c4c.html)

Oklahoma scored just below average nationally in an annual study assessing each state's key indicators of public health preparedness, with the U.S. not adequately poised to address disease, disaster or bioterrorism crises.

**6 — OPINION: All I want for Christmas is a Clean Tar Creek, Miami (OK) News Record, 12/25/17**

<http://www.miamiok.com/news/20171225/all-i-want-for-christmas-is-clean-tar-creek>

The Pueblo of Acoma has received a federal promise of aid to help residents recover from October floods that tore up roads and bridges.

**7 — OPINION: Holiday gift offer from Monsanto, Arkansas Democrat-Gazette, 12/24/17**

<http://www.arkansasonline.com/news/2017/dec/24/holiday-gift-offer-from-monsanto-201712/>

Like a car dealership slashing year-end prices to spur sales, Monsanto is offering cash rebates to farmers willing to stock up on dicamba, the problematic pesticide that triggered thousands of crop damage complaints across 3.6 million acres in 25 states.

**8 — Crude oil pipeline from Permian to Corpus moves ahead, San Antonio Express-News, 12/23/17**

<http://www.mysanantonio.com/business/eagle-ford-energy/article/Crude-oil-pipeline-from-Permian-to-Corpus-moves-12450744.php>

The 730-mile long “EPIC” crude oil pipeline — which stands for Eagle Ford, Permian, Ingleside and Corpus — has received enough interest to start construction in early 2018. The pipeline will have a capacity of 440,000 barrels a day out of West Texas’ Permian Basin and another 150,000 barrels a day out of South Texas’ Eagle Ford Shale field.

**9 — Powered by trash: See how Baton Rouge engineers are using garbage to fuel industry, Baton Rouge Advocate, 12/24/17**

[http://www.theadvocate.com/baton\\_rouge/news/environment/article\\_56e7b3d4-deb2-11e7-a73c-efdb02ce87f9.html](http://www.theadvocate.com/baton_rouge/news/environment/article_56e7b3d4-deb2-11e7-a73c-efdb02ce87f9.html)

Engineers are turning the Capital City's trash into fuel that helps power petrochemical plants along the Mississippi River which make the raw materials used to produce all kinds of goods, from plastic containers to car parts.

**10 — Controversial, decades-old Yazoo pump project included in Cochran-led appropriation bill, Jackson (MS) Clarion Ledger, 12/24/17**

<http://www.clarionledger.com/story/news/politics/2017/12/25/controversial-decades-old-yazoo-pump-project-included-cochran-led-appropriation-bill/930719001/>

Congress is mulling the option to resurrect a controversial, decades-old plan to construct a pump at the south edge of the Delta, where the Yazoo River flows into the Mississippi River.

**11 — Massive disaster-relief package pending in Congress would reshape federal recovery policy, Baton Rouge Advocate, 12/24/17**

[http://www.theadvocate.com/baton\\_rouge/news/article\\_7c4e9650-e764-11e7-84c0-577e5ae20d55.html](http://www.theadvocate.com/baton_rouge/news/article_7c4e9650-e764-11e7-84c0-577e5ae20d55.html)

A massive disaster-relief package awaiting U.S. senators when they return to work in January would offer states far more flexibility in deploying federal recovery dollars and put billions into flood prevention and mitigation projects across the country.

## Tar Creek Superfund Site work continues, piece by piece

By Kelly Bostian Tulsa World Dec 25, 2017 Updated 7 hrs ago



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Elm Creek Project Manager Zach Paden walks through a site filled with chat, toxic remains from mining, in Picher on Wednesday. IAN MAULE/Tulsa World

PICHER — On a cloudy, misty day the view from the top of the Fisher Chat Pile, which towers some 150 to 200 feet above the ghost town of Picher, offers a scope and feel that fits the seemingly never-ending 40-square-mile cleanup project area that is the Tar Creek Superfund Site.

Dozens more of the gray mountains like Fisher — the largest have nicknames, others have designators like CP-007 — are randomly scattered from Picher toward the town of Commerce, north across the Kansas border and east toward Missouri.

They are ghostly monuments made of gray chat — pea-sized flakes of gravel and fine sand and dust remnants left after extraction of lead and zinc that fueled the tri-state area economy, U.S. efforts in World Wars I and II, and through the 1960s.

But the leftovers poisoned the lands and waters, sickened residents during and afterward, and left hollowed-out shafts underground that still have a dangerous tendency of collapsing.

The piles reach upward and fade into the gray sky as far as the eye can see. The place is known as one of the most contaminated sites in the United States.

Early this month, EPA Administrator Scott Pruitt announced efforts to expedite Superfund Site work across the country, including at Tar Creek. He called the 30-year lives of some sites “unacceptable.” But on-the-ground efforts to speed things along might be hard to notice in months and years to come. Much of the work centers on behind-the-scenes legal wrangling and negotiations between agencies and landowners.

Experts are hard-pressed to guess at an end-date for the Tar Creek cleanup, which already has been on the books 34 years and involves well over \$300 million in projects now underway and yet to come. A day’s tour of the area shows at least some work is progressing no matter the political noise, the visually staggering aspects of the project, and imagination of what challenges await as the chat piles disappear and more attention is focused on area waterways.

As he escorted a reporter and photographer up the Fisher pile, Zach Paden, Oklahoma Department of Environmental Quality project engineer for the part of the project that involves removal of the chat piles, said if you’re going to walk up the hill a damp day is a good one to do it.

“Well, there’s less dust,” he said.

While Tar Creek is known as one of the most contaminated sites in the U.S., its zinc, lead and cadmium dangers are not the kind that require a person, or even remediation workers, to walk about in Hazmat suits at all times, Paden said.

The surface of the piles resembles a sand dune or a driveway made of fine gravel. Rain has washed over the piles for years and left larger pieces of chat on the surface and pushed down the fine sands that can blow around like dust.

Being around the material requires some simple precautions to remain safe, he said. On the other hand, it's a bad idea to shovel up the material into a pickup load for use as a driveway or walkway at your home, he said.

The long-term exposure the material is what led to illnesses that made it necessary to evacuate Picher.

Looking down at the ghost town, at the foot of the Fisher pile, it is now a series of empty blocks with concrete pads where houses stood as little as 10 years ago.

Trees, native grasses, weeds and brush fill what were once yards. Plants have found their way up through cracks in the concrete pads, the driveways and the now-lifeless streets. Each block is cordoned off by barbed wire fencing with signs that label the property as that of the U.S. Environmental Protection Agency.

Most of the chat has been removed and the yards are remediated. But what remains a danger are random cave-ins caused by mining tunnels that run below much of the area, Paden said.

The residential cleanup is not his area of responsibility, but the so-called Operational Unit 2 part of the project has made great strides and much of the remaining work involves inspections and figuring out what to do about potential cave-in areas.

"Once the remediation is complete at the site, the area can be used for purposes such as agricultural, commercial, and in many areas residential," EPA Region 6 spokesman David Gray said of the area's eventual fate.

All that's left of the town now is the water tower that proclaims "Picher Gorillas since 1918" in faded red paint, and the abandoned high school where the Gorillas studied, practiced and competed in football and track. The Quapaw Tribal Police still keep an office just off the highway near shells of other homes with "keep out" spray-painted on the outside. The Oklahoma Department of Transportation has an equipment barn there as well.

Much of the rest of what is in view from atop the Fisher Pile and beyond town is a mixture of timber, pastures, farmland and what Paden calls "moonscape," that is, acres upon acres of landscape covered by chat not in large piles but in a layer, maybe just two feet thick, maybe 10 or 15.

DEQ and Paden's counterparts with the Quapaw Tribe are tackling the "moonscape" areas and chat piles.

Cleanup of the sites on state and private lands are directed by the DEQ, with the Quapaw Tribe carrying out the work. On tribal lands, the Quapaws administer the jobs as the governing agency.

Wednesday, Paden came to the area to check on a new DEQ project that involves removing the chat pile called CP-007 as part of a 200-acre remediation near Elm Creek, and to meet with landowners near another nearly completed project at Beaver Creek for a final inspection phase.

The Beaver Creek site was just a few acres but the green pasture behind new barbed wire fencing and a gate left little clue it was once a pile of mining debris and brush.

"It really is kind of fun turning moonscape into pastureland," Paden said.

Meanwhile at CP-007, a chat pile about 50 feet high and big around as a baseball stadium is being carved away by excavators that scoop materials into a parade of 16-ton capacity dump trucks.

The trucks take the chat to a nearby asphalt plant where the material is divided into usable rock and sands and waste that will have to be buried in a mine waste repository.

"Because the material is sealed when it's in the asphalt, it's OK to use for road building," Paden said.

Paden estimates the chat pile itself, the part that contains the best and most material on the site that will be used in asphalt, will be gone in about eight months. The full 200-acre job will take three years, however.



<http://www.mysanantonio.com/news/article/Development-continues-at-Oklahoma-Superfund-site-12453440.php>

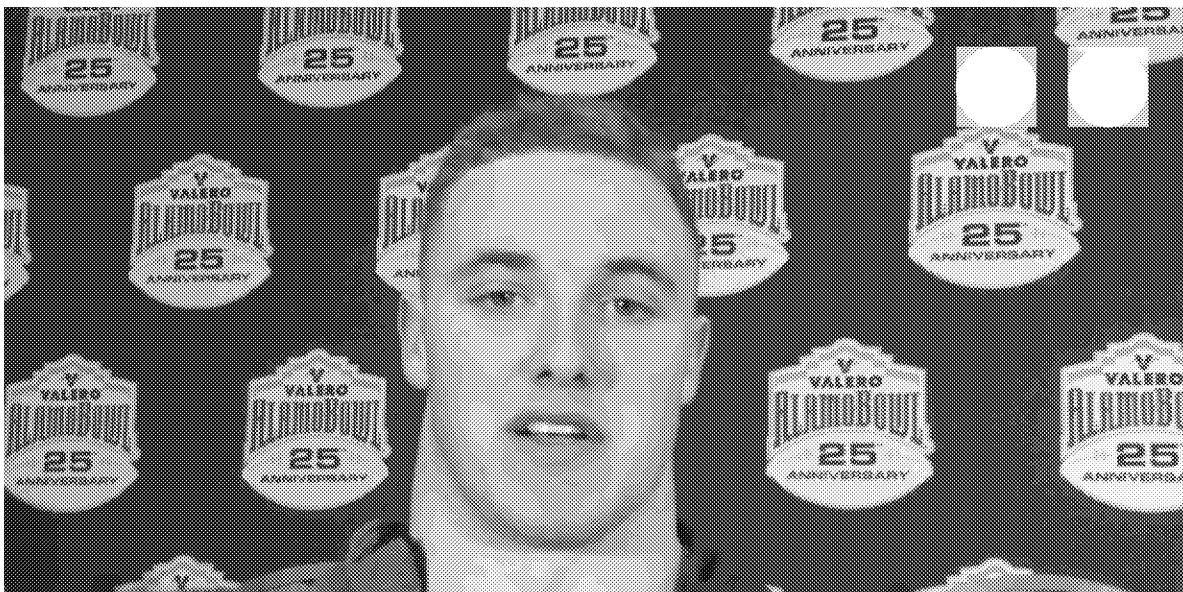
## Development continues at Oklahoma Superfund site

Published 12:05 am, Monday, December 25, 2017

MIDWEST CITY, Okla. (AP) — As the Environmental Protection Agency considers whether a site contaminated with cancer-causing chemicals is one of the nation's worst, development continues unabated behind it and a large land sale has occurred across the street.

The stark contrast between contamination and nearby construction has jolted nearby residents and concerned citizens, prompting inquiries to city offices. Midwest City has largely deferred to the Oklahoma Department of Environmental Quality, which has frustrated at least one city councilman, The Oklahoman reported.

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The trichloroethylene that Eagle Industries employees dumped at 10901 SE 29 St. has largely moved on, migrating through groundwater to the southwest, where it is expected to threaten homes and businesses for years to come. EPA cleanup could last a decade or longer. It is being considered for a national priorities list of Superfund sites.

Meanwhile, a middle-class development, Turtlewood, has thrived to the north and is expanding to the west and northwest of the former Eagle site. Concerned residents have posted photos of construction at Turtlewood on social media and asked whether, considering the contamination nearby, development is appropriate.

HomeCreations, which is building the subdivision, says it is.

"Our community is located north of the Eagle Industries site and is connected to and uses water provided by the City of Midwest City, therefore it does not rely on groundwater," said John Burris, an associate sales director. "Given that information, we do not believe the contamination will have any effect on our neighborhood. However, we are continuing to monitor the situation."

For at least 15 years, Eagle employees illegally dumped cancer-causing toxins directly onto the ground at 10901 SE 29 St., according to state investigators. An Oklahoman investigation found the troubled company routinely skirted environmental laws but never paid a fine. It closed its doors in 2010.

A second Oklahoman article revealed Eagle may have also polluted a site two miles west at 8828 SE 29 St. with trichloroethylene, beginning as early as the 1950s. The site was previously found to have radiation. DEQ has since launched an investigation.

The City of Midwest City, which declined requests for comment before the second article was published, has worked to keep up with the fray. In a Facebook post, the city manager's office called the article "factual in many respects" but one-sided. It said the city was aware of radiation at 8828 but unaware TCE could be there before being told by the newspaper.

"The article's mention of possible trichloroethylene contamination came as a complete surprise to city staff," the city manager's office wrote Nov. 14.

Elsewhere on Facebook, questions were asked of Sean Reed, a Midwest City councilman. Reed wrote that the city would attempt to get answers from the state but complained that "DEQ does what they want and really answers to no one."

On Nov. 15, Midwest City officials met with DEQ but the city has declined to say what was discussed. Kay Hunt, a city spokeswoman, said the city manager "will be communicating that information with the mayor and city council before any public comment will be made." Councilman Jeff Moore, who represents the area, did not respond to requests for comment.

In another Facebook post Nov. 21, the city manager wrote that "the city has been receiving inquires (sic) about the status of the safety of our residents (sic) drinking water for those either living or building new homes near the closed facility," referring to the Superfund site at 10901 SE 29.

The Facebook post contained a response to citizens' concerns from DEQ.

"Based on the investigations to-date at the Eagle Industries site, ODEQ does not feel that housing developments to the north or west of the site are impacted by the former Eagle Industries facility," it stated. "The main human health concern from the site is contaminated groundwater. Housing developments that have public drinking water would not be exposed to the contamination."

Those housing developments include Turtlewood, billed as a "fun, family-friendly community" with easy access to Tinker Air Force Base and Oklahoma City. Three-bedroom, two-bathroom homes there sell for \$174,000 to \$220,000.

Burris, with HomeCreations, said the company reached out to DEQ after recently learning about contamination at the former Eagle site.

"The safety and integrity of the communities we build in are of the utmost importance to us," he said.

Southeast of the Superfund site is 160 acres of dense woods, listed as agricultural space by the Oklahoma County assessor's office but currently unused. It was purchased by an unknown buyer before it could be auctioned off in 19 tracts on Nov. 8.

Schrader Auction had billed it as "an attractive property" with "gentle topography" and "large, mature timber." The auction house called it an "outstanding opportunity" for residential development, despite being about 600 feet from a Superfund site. Hazardous contamination wasn't mentioned in the 52-page brochure.

Meanwhile, two miles to the west, where DEQ will investigate whether contamination is below the first Eagle site at 8828 SE 29, the city manager's office says it would like to expand commercial development "since it happens to be the last unobstructed property with Interstate 40 frontage that lies within Midwest City limits."

Councilman Pat Byrne, who represents the area around 8828, said there are no immediate plans for that stretch of SE 29 Street. He said the city will consult with DEQ when future development opportunities are identified near that Eagle site.

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Information from: The Oklahoman, <http://www.newsok.com>

An AP Member Exchange shared by The Oklahoman.

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# Nutrient proposal advances

At issue is curbs on phosphorus

By Emily Walkenhorst [twitter](#)

This article was published today at 1:00 a.m.

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The first proposed outline to trade nutrients through a watershed has been approved to take to Arkansas' pollution control board nearly three years after the state Legislature voted to allow the proposals.

Four Northwest Arkansas cities -- Bentonville, Fayetteville, Rogers and Springdale -- proposed the program, which could be used by wastewater treatment plants in the nutrient-beleaguered area to lessen the restrictions on the amount of phosphorus that they discharge into the water, all while another facility in the same watershed has its restrictions tightened.

Too many nutrients, such as nitrogen and phosphorus, can cause algae to grow and harm fish.

Arkansas has narrative nutrient standards for water bodies, not specific measurements, but discharge permit holders are subject to nutrient limits.

In Northwest Arkansas, cities and poultry farmers have been forced to be extra cognizant of their phosphorus contributions since Oklahoma sued poultry companies in 2005 over their contribution to phosphorus levels in the Illinois River. Oklahoma has a numeric standard for phosphorus in the river, which receives water from Arkansas.

Allan Gates, an attorney for the four cities known as the Northwest Arkansas Nutrient Trading Research and Advisory Group, said he would try to get the proposal initiated for approval in state regulations by January. It would go before the Arkansas Pollution Control and Ecology Commission and then would require legislative and gubernatorial approval.

In October, the cities submitted their proposal to the state's Nutrient Water Quality Trading Advisory Panel. Panel members raised concerns about the vagueness of the language, including a reference to the "evidence" that the trade would not negatively impact water quality. So the panel postponed a vote until Dec. 14, when it was unanimously approved with three amendments.

Nicole Hardiman, a panel member and executive director of the Illinois River Watershed Partnership, said the proposal's language remained more vague than she wanted but she said after the vote that it would be a good start toward getting the nutrient trading program up and running.

"I am, as a conservationist, concerned that we are maybe making it too flexible," she said. But she said she understood that flexibility could attract more participants and help officials determine the efficacy of trading on improving water quality.

"If we can do a pilot project here, then perhaps we can do others across the state," Hardiman said.

Panel chairman and Springdale Water Utilities Director Heath Ward did not vote on the proposal, but his utility has been interested in trading as a means of further reducing phosphorus contributions in the Illinois River. Springdale Water Utilities and nearby factories have already spent millions of dollars drastically reducing phosphorus discharges because the Illinois River still has too much of the nutrient in it.

"We've moved that needle one more notch, and to me that's important," Ward said.

Three amendments to the proposal expanded on the nutrient trading plan's requirements.

John Bailey, a panel member who works at Arkansas Farm Bureau, presented an amendment that specified the Arkansas Natural Resources Commission because that would determine compliance for certain trades.

The other two approved amendments came from panel member Larry Lloyd, who works for Beaver Water District. Lloyd asked that the proposal require evidence that the trade will not adversely affect a public drinking water source. He also asked that it require trades to take place within a single watershed when the watershed includes a public drinking water source.

The U.S. Department of Agriculture, business groups and some conservation-minded nonprofits have touted the potential of nutrient trading programs to improve water quality and help permit holders meet regulatory limits.

Some opposition to trading programs has emerged elsewhere.

In 2015, the environmental group Food and Water Watch issued a report on nutrient trading that said it allows "previously accountable pollution dischargers to hide behind pollution credits and discharge without any real limits."

The group also expressed concern that the pollution levels of farms were "unverified and uncertain."

Food and Water Watch and another environmental group, Friends of the Earth, sued the U.S. Environmental Protection Agency in 2010 over allowing nutrient trading in the Chesapeake Bay watershed. The suit was dismissed for a lack of standing.

**23 DECEMBER 2017 BY LUDWIK DONIMIRSKI**

## EPA, DOJ Announce Settlement Agreement with Carbon Black Producer, Sid Richardson Carbon and Energy Company

News Releases from Headquarters › Enforcement and Compliance Assurance (OECA)

12/22/2017

Contact Information:

**WASHINGTON (December 22, 2017)** – The U.S. Environmental Protection Agency (EPA) and the Department of Justice (DOJ) announced today a settlement resolving Clean Air Act claims by the United States and the states of Louisiana and Texas against carbon black manufacturer Sid Richardson Carbon and Energy Company. Under the settlement, the company has agreed to install and operate state-of-the-art pollution control technologies to reduce emissions of harmful air pollutants.

In addition to the controls, estimated to cost over \$100 million, Sid Richardson will pay civil penalties of \$999,000, and perform environmental mitigation projects valued at \$490,000. This settlement resolves claims, alleged in a complaint filed today in federal court in Louisiana, that Sid Richardson failed to obtain permits and install and maintain appropriate emissions reduction technology at its three carbon black production facilities located in Addis, Louisiana; Big Spring, Texas; and Borger, Texas, as required under the

Prevention of Significant Deterioration provisions and/or Maximum Achievable Control Technology Standards of the Clean Air Act.

Carbon black is a fine carbonaceous powder used in tires, plastics, rubber, inkjet toner and cosmetics. Production of carbon black creates large amounts of nitrogen oxide (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>) and particulate matter. NO<sub>x</sub> and SO<sub>2</sub> have numerous adverse health effects and are significant contributors to acid rain, smog and haze. These pollutants are converted in the air to particulate matter that can cause severe respiratory and cardiovascular impacts, and premature death.

As a part of the settlement, Fort Worth, Texas-based Sid Richardson will be required to install wet gas scrubbers to reduce SO<sub>2</sub> emissions at its Addis, Louisiana and Borger, Texas, facilities and selective catalytic reduction technology to reduce emissions of NO<sub>x</sub> at all three facilities. In addition, at its Borger, Texas, facility, Sid Richardson will be responsible for a mechanical and structural integrity assessment to find, fix and replace failing components of the carbon black process system. At its Big Spring, Texas, facility, Sid Richardson must meet a limit on the sulfur content of its feedstock.

EPA projects that this settlement will result in a reduction of SO<sub>2</sub> emissions of approximately 10,198 tons per year; a reduction of NO<sub>x</sub> emissions of approximately 984 tons per year; and a reduction of emissions of particulate matter, as compared to the company's 2015 emissions.

The proposed settlement, lodged in the U.S. District Court for the Middle District of Louisiana, is subject to a 30-day federal public comment period, a 45-day Louisiana public comment period and final court approval. Information on submitting comments is available at the DOJ website at: [www.justice.gov/enrd/consent-decrees](http://www.justice.gov/enrd/consent-decrees)

Today's settlement comes at the same time DOJ and EPA are announcing settlements with two other carbon black production companies: Orion Engineered Carbons LLC and Columbian Chemicals Company.

More information about the settlement: <https://www.epa.gov/enforcement/sid-richardson-carbon-and-energy-company-clean-air-act-settlement>

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[http://www.tulsaworld.com/news/state/u-s-inadequately-prepared-to-handle-public-health-crises-with/article\\_29122fcc-713d-5404-a298-3cfc613f8c4c.html](http://www.tulsaworld.com/news/state/u-s-inadequately-prepared-to-handle-public-health-crises-with/article_29122fcc-713d-5404-a298-3cfc613f8c4c.html)

## U.S. inadequately prepared to handle public health crises, with Oklahoma ranked just below average, study finds

Report: U.S. inadequately prepared for health crises

By Corey Jones Tulsa World Dec 25, 2017

Oklahoma scored just below average nationally in an annual study assessing each state's key indicators of public health preparedness, with the U.S. not adequately poised to address disease, disaster or bioterrorism crises.

The 116-page report found that the U.S. reacts inefficiently to emergencies by relying on supplemental federal funding packages each time a disaster strikes. The country scrambles to divert funds from ongoing priorities, using emergency spending to try to backfill basic gaps and address whatever crisis just emerged.

"Ready or Not? Protecting the Public's Health from Diseases, Disasters and Bioterrorism" was released Tuesday. The yearly report is published each December by Trust for America's Health, a nonprofit and nonpartisan agency devoted to public health, according to its website.

The study states that many improvements prompted by 9/11, the anthrax scare and Hurricane Katrina have eroded, evidenced by a steep decline in base-level preparedness funding by more than 50 percent in the past 15 years.

"The country does not invest enough to maintain strong, basic core capabilities for health security readiness and there is often a need for additional funds — emergency surge dollars in the form of a standing Health Emergency Fund that can be used when major events happen," according to the report. "Rather, funding to support the base level of preparedness has been cut — by more than half since 2002 — eroding advancements that had been achieved and the country's standing capabilities have been reduced."

States on average met five of the 10 indicators the study evaluated.

Oklahoma achieved four:

- an accredited public health department
- participation in an Enhanced Nurse Licensure Compact
- state laboratory provides biosafety training or information about biosafety training courses
- state laboratory has a biosafety professional

Oklahoma falls short in the study's other six indicators:

- maintaining or increasing public health funding from prior fiscal year
- increased overall preparedness score between 2015 and 2016
- vaccinated at least half of its population for the seasonal flu
- has joined the U.S. Climate Alliance to reduce greenhouse gas emissions consistent with the Paris Agreement
- has paid sick leave law
- has at least 70 percent of hospitals meeting Antibiotic Stewardship Program core elements

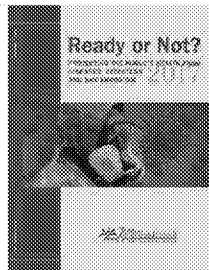
Oklahoma appropriated \$162 million to its public health budget in fiscal year 2017, which is \$41.29 per capita, according to the study. The national average is \$36.11. The state's overall figure is down 1 percent from the previous fiscal year, when the state Legislature appropriated \$163.7 million.

Among several recommendations, the report favors stable and sufficient funding for ongoing emergency readiness and a permanent public health emergency fund that can be tapped instantly for immediate or "surge" needs when a crisis hits.

"Both are necessary in order to prevent the kind of post-emergency response where we scramble for the necessary resources, lose time, and during that time period potentially see injuries and illnesses and even deaths that could have been prevented," said John Auerbach, president and CEO of Trust for America's Health.

The report's top-rated states were Massachusetts and Rhode Island, both of which satisfied nine of the study's 10 indicators. The worst ranked is Alaska, which only scored two out of 10.

Oklahoma's neighboring states in order from most to least were: Colorado (7), Arkansas (4), Missouri (4), Kansas (3), New Mexico (3), and Texas (3).



Document: "Ready or Not? Protecting the Public's Health from Diseases, Disasters and Bioterrorism"  
Dec 19, 2017

#### Staff Writer Corey Jones

Corey is a general assignment reporter who specializes in coverage of man-made earthquakes, criminal justice and dabbles in enterprise projects. He excels at annoying the city editor. Phone: 918-581-8359

## **All I want for Christmas is a Clean Tar Creek**

**By Rebecca Jim**

Posted Dec 25, 2017 at 10:46 AM

How do we get it? With a Strong EPA that supports the Superfund and how does that happen? By following the law that provides a tax not on us, but on companies that produce products that pollute. When what we call Superfund became law as the Comprehensive Environmental Response, Compensation and Liability Act or (CERCLA) it was like it was made for us. It was established by Congress in 1980 after Love Canal and other toxic sites in the country got so much attention.

Tar Creek began pouring out heavy metals just a year before CERCLA was established and it was put on their original National Priorities List where it remains to this day. Remember that cartoon which included the phrase, "I'm only a Bill on Capitol Hill?" That tone pretty much says it, Tar Creek is not only on the list but ranked high has not budged since then. And CERCLA got a nickname because of the way it raised funding for cleaning up polluted sites, it's called Superfund because in the law there was a provision with a vision for the future. The law established a tax that chemical and petroleum industries had to pay and that tax funded work that needed to be done immediately to protect human health and the environment until the original polluter could be found and made to pay for it, if any could be found. That system worked well, until Congress refused to re-instate that tax in 1995 and the fund went broke.

Now that Congress has given corporations the biggest tax break in history, it looks like a perfect time for the administrator for the EPA the only federal agency with PROTECTION as a middle name to ask for that tax to be reinstated so we can have the funding to make Tar Creek and the thousand other sites on that list whole again.

LEAD Agency is sending a message to Scott Pruitt now Administrator for EPA, Oklahoma's former Attorney General and letting him know our big wish. Our 6 foot long banner has been signed by countless individuals and still has a bit of room left. We will mail it just in time for Christmas, so drop by our office to wedge your name on it if you haven't done so yet.

What would a clean Tar Creek do for us? Just imagine it. Our kids could go to the creek again, take their fishing poles, catch a fish and bring it home for dinner. They could wander down to the creek with a friend and their dogs and let them lap up some refreshing clean water, they could wade in the summer and in some of the deeper areas take a swim. NEO students might find themselves with a book and a blanket down by the creek studying before exams. Not to say they might not see a few parties start up along the banks some evenings.

When the creek got up in your yard, and regrettably into your house during a flood, the fear would be gone after the water receded that heavy metals laid down in your carpet, in your back yard soils. And that stain might finally weather away from the new bridges constructed to cross it. The signs along the creek would go up because it would be a creek we respected and cared about. The pride of being a river and creek city would return. The blight years for Tar Creek and her name would be over. The vale would be lifted on Ottawa County and businesses would want to locate here, clean non-polluting businesses, because we would and could recruit them to come to a place where water runs clean through communities that care to protect it and have fought to have it.

I want that for Christmas and so do you. And Scott Pruitt may have helped us by adding Tar Creek to the latest updated list of superfund sites set to get more aggressive attention as was just recently announced.

I remember as a child telling my parents what I wanted for Christmas and sometimes, I got just exactly what I wanted and sometimes, I had to act like it was, because whether it was a doll, yes, but it was not the one in the catalog that I hid and they never saw. And then to the last dying day, never to admit there was ever disappointment in the gift received. All that to say, sometimes

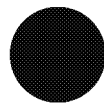


you don't get what you ask for. But here Tar Creek sits on Scott Pruitt's list, and what comes from it, may please us or may leave us wondering why he bothered and us wondering why we asked.

Tar Creek is not just Tar Creek to EPA and Scott Pruitt, and this placement on the list is bigger than our creek, it is the whole Tar Creek Superfund site, the 40+ square mile site full of complicated issues from the legacy mining that previously made us prosper. When you make your wish for a Clean Tar Creek, see it all, the creek running clean, the land cleaned, fish we can eat and our children running lead-free.

Respectfully Submitted ~ Rebecca Jim

*Rebecca Jim is the executive director of the LEAD Agency ([www.leadagency.org](http://www.leadagency.org)).*



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# Holiday gift offer from Monsanto

Some restrictions may apply

By NATHAN DONLEY Special to the Democrat-Gazette  
This article was published December 24, 2017 at 2:00 a.m.



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Like a car dealership slashing year-end prices to spur sales, Monsanto is offering cash rebates to farmers willing to stock up on dicamba, the problematic pesticide that triggered thousands of crop damage complaints across 3.6 million acres in 25 states.

The 50-percent-off fire sale on dicamba comes as several states are working to establish limits on use of the notoriously drift-prone pesticide.

Restrictions like those put in place this year by eight states pose a huge problem for Monsanto, which has aggressively marketed dicamba as the answer to the proliferation of superweeds fueled by overuse of the company's flagship pesticide glyphosate.

The pesticide maker assured farmers that if they planted Monsanto seeds genetically altered to withstand dicamba and glyphosate, they could spray their fields with dicamba throughout much of the growing season to kill the glyphosate-resistant superweeds that now infest millions of acres of U.S. cropland.

The pesticide giant is aggressively fighting back, not only to win the hearts of farmers by slashing dicamba prices but also by filing legal challenges to states that have imposed common-sense restrictions on its use.

The effectiveness of that campaign was on full view earlier this month when an Arkansas legislative committee backed away from approving a common-sense measure to ban use of dicamba from mid-April through October to prevent drift damage to crops in nearby fields that have not been genetically altered to withstand dicamba.

Instead of moving ahead with the very reasonable growing-season limits on dicamba use, Arkansas legislators were suddenly parroting Monsanto's talking points, suggesting the date restrictions were "arbitrary" because they weren't based on scientific studies.

In fact, Arkansas' proposal to restrict dicamba use, much like restrictions already in place in Minnesota, North Dakota and Missouri, was based on a very simple principle: What's sprayed on your field should stay on your field.

But that essential, bedrock principle of pesticide use has proved to be too high a hurdle for Monsanto's dicamba: One Missouri researcher went so far as calling the widespread drift damage from the pesticide as possibly creating the greatest amount of crop damage in a single season from a pesticide in U.S. history.

Yet, despite the on-the-ground evidence of dicamba-inflicted damage, Monsanto--the same company that refused to allow independent scientists to study its new dicamba products--is now asserting that dicamba restrictions are "arbitrary" because they're not based on scientific research.

The truth is that Monsanto wants no part of what independent scientists have discovered about dicamba because much of that research doesn't support the company's claims, which are based on in-house research that is not public.

The EPA's approval of new dicamba formulations for use on genetically altered cotton and soybeans was predicated on unpublished research by Monsanto that allegedly indicated the new versions of dicamba were much less prone to drift and volatilization than older dicamba products.

However, recent studies from independent researchers found little difference in volatility between older and newer formulations. Research out of the University of Arkansas, University of Tennessee and University of Missouri all show that newer dicamba formulations not only result in volatility, but do so at levels similar to older formulations, which are known to be highly volatile.

The fact is, all the best-available independent science suggests dicamba use is too risky once plants have emerged. So, sure, by all means, states like Arkansas should take Monsanto's advice and follow the science.

And that science would agree with Monsanto: States don't need to establish "arbitrary" dates for dicamba restrictions. They just need to ban use of the pesticide wherever crops have already emerged from the ground.

That's good science, whether Monsanto likes it or not.

## Crude oil pipeline from Permian to Corpus moves ahead

By Rye Druzin Published 2:09 pm, Friday, December 22, 2017



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A new crude oil pipeline will be built from West Texas' Permian Basin to the Gulf Coast near Corpus Christi.

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One of the longest crude oil pipelines in years stretching from West Texas to Corpus Christi is set to start construction early next year.

The 730-mile long "EPIC" crude oil pipeline — which stands for Eagle Ford, Permian, Ingleside and Corpus — has received enough interest to start construction in early 2018. The pipeline will have a capacity of 440,000 barrels a day out of West Texas' Permian Basin and another 150,000 barrels a day out of South Texas' Eagle Ford Shale field.

EPIC spokesman Bruce Kates said there is no cost estimate for the pipeline, which will run parallel to the under construction EPIC NGL pipeline, which will transport 220,000

barrels per day of natural gas liquids when completed. Natural gas liquids include propane, butane, and ethane, which is used in plastics production and as a petrochemical feedstock.

EPIC is also working to finalize terms of a “strategic relationship” with Houston-based oil and gas exploration and production company Noble Energy. EPIC said that it is working to complete an agreement with Noble to transport up to 75,000 barrels a day of crude oil from its Reeves County acreage.

In the third quarter, Noble Energy recorded daily sales volumes of 27,000 barrels of oil equivalent from its Delaware Basin assets, which are part of the larger Permian Basin oil field. Of its Delaware Basin production 85 percent was crude oil and natural gas liquids, the company said.

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Another unnamed company is said to have made a commitment of 75,000 barrels of oil per day on the crude oil pipeline.

The pipeline is one of at least 10 pipelines that are 100 miles or longer that have submitted new construction reports to the Texas Railroad Commission, the state's oil and gas regulator, in 2017.

On Thursday Kinder Morgan announced that it will build the \$1.7 billion Gulf Coast Express Pipeline Project, a 1.92 billion cubic feet a day natural gas pipeline stretching from West Texas to near Agua Dulce, close to Corpus Christi.

*Rye Druzin is a San Antonio Express-News energy reporter. Read more of his stories here. | [rdruzin@express-news.net](mailto:rdruzin@express-news.net) | [@druz\\_journo](https://twitter.com/druz_journo)*

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# Powered by trash: See how Baton Rouge engineers are using garbage to fuel industry

BY STEVE HARDY | SHARDY@THEADVOCATE.COM DEC 23, 2017 - 9:00 AM



Plant manager Jason Dayton explains the operation Friday, Dec. 15, 2017 at the East Baton Rouge Parish North Landfill, where methane gas generated from the trash in the landfill is being trapped to sell to Exxon and BASF, where it's burned as fuel.

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ADVOCATE STAFF PHOTO BY TRAVIS SPRADLING

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Steve Hardy

Call it alchemy, Baton Rouge style.

Engineers are turning the Capital City's trash into fuel that helps power petrochemical plants along the Mississippi River which make the raw materials used to produce all kinds of goods, from plastic containers to car parts.

But first, the garbage needs time to ferment. After five years at the parish landfill, garbage starts giving off combustible gases that are being captured and sold to the plants. As the trash heap grows ever higher, the city-parish is preparing to install more pumps to extract methane gas bubbling underneath the mammoth pile.

*Story Continued Below*

The additional pumps mean that even more of the coffee grounds, food scraps and other trash that Baton Rougeans have thrown out over the years will soon be helping to meet the energy needs of the city's sprawling petrochemical plants.

As waste breaks down, it naturally releases gases such as methane. Typically, that gas would have to be burned off. But five years ago, the East Baton Rouge landfill west of Baker began capturing the gas so it could be sold to nearby industrial facilities.

Approximately 75 pumps collect the gas and spirit it to a plant at the landfill where the methane is cooled and condensed, explained Jason Dayton, plant manager for Advanced Disposal Services, the private company contracted to extract and sell methane at the city-parish landfill.

Five miles of underground pipelines deliver the methane to BASF and ExxonMobil, which can burn it in place of natural gas. Most of the methane goes to Exxon, where it's used to run the boilers at the polyolefins plant to make plastic products such as containers and auto parts, according to the company.

When the program started five years ago, Exxon estimated that recycling the gas would have an effect equal to taking 59,000 cars off the road or planting 73,000 acres of pine forest.

As the landfill has grown, operations have expanded, adding about 12 more pumps in 2015, with another dozen planned to be installed soon, said city-parish environmental coordinator Sarah Boudreaux.

When the program started, the boilers at the Exxon polyolefins plant were using landfill methane to provide 45 percent of the fuel, and the amount has since risen to 54 percent, said spokeswoman Stephanie Cargile.

"The Polyolefins Plant is taking all of the gas that the landfill has offered to ExxonMobil. Our ability to take additional supply and the benefits to the environment will continue to increase over the life of landfill as it matures and produces additional methane," she wrote in an email to The Advocate.

Several years ago, the price of natural gas made it lucrative to begin selling landfill methane, according to Boudreaux.

Although few places like East Baton Rouge and Jefferson parishes decided to cash in by capturing and selling their methane, Boudreaux said, most other places just flare theirs off. The Baton Rouge operation was the first time Exxon had ever used landfill gas to help meet its power needs, according to the company.

"We're hardly ever flaring. ... (The plants) basically want everything we can give them," Boudreaux said.

The city-parish gets a cut of the sales, which don't amount to much, but Boudreaux said the city-parish was mostly motivated by a desire to recycle. Exxon even won an Energy Efficiency Award from the American Chemical Council, the company pointed out.

Contracting with Advanced Disposal also means the company maintains all the methane pumps, removing that burden from the city-parish, Boudreaux said. Dayton, the plant manager, makes sure all the pumps are in good order and properly pressurized, and he keeps the plant running and oversees the flare that's used on the rare occasions when the landfill has excess methane.

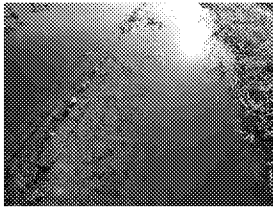
Though the city-parish is preparing to add more methane pumps, Boudreaux expects to just sell more gas to the companies already connected to the landfill via existing pipelines. Another potential customer could theoretically try to hook up, but installing new pipelines is a legally tedious process due to all the property and infrastructure the pipeline would have to cross, she said.



# Controversial, decades-old Yazoo pump project included in Cochran-led appropriation bill

Anna Wolfe, Clarion Ledger

Published 2:00 p.m. CT Dec. 25, 2017



(Photo: Rogelio V. Solis,  
ASSOCIATED PRESS)

Congress is mulling the option to resurrect a controversial, decades-old plan to construct a pump at the south edge of the Delta, where the Yazoo River flows into the Mississippi River.

U.S. Sen. John McCain in 2004 called the pump, often described as an environmental nightmare, "one of the worst projects ever conceived by Congress." Four years later, the U.S. Environmental Protection Agency wielded its seldom-used authority to veto such projects against the Yazoo Backwater Pump.

Proponents say the 14,000-cubic-feet-per-second pumping plant — which would be one of the largest in the world — will prevent flooding in the area by lifting excess rainfall runoff from the Yazoo backwater area and into the Mississippi River.

Opponents argue that claims of flood damage to communities, used to justify the project, are exaggerated, and that the \$220 million pump would mainly benefit a handful of farmland owners and contractors.

Former President George W. Bush's EPA vetoed the project under the Clean Water Act in 2008, finding it would create "unacceptable damage" to "some of the richest wetland and aquatic resources in the nation."

This was only the 12th time the EPA had used its authority to shoot down a proposal under the 1972 Clean Water Act. The pump project dates to 1941, when Congress first authorized its construction.

Now, a line in the proposed U.S. Senate Appropriations bill orders the Army Corps of Engineers to immediately begin construction of the pump regardless of what the EPA or any other law says.

The bill reads: "Notwithstanding the final determination of the Environmental Protection Agency ... or any other provision of law, the Secretary of the Army shall, immediately and without delay or administrative or judicial review, construct or provide for the construction of" the Yazoo Backwater Pump project.

A Corps of Engineers' study said the project would drain 67,000 acres of wetlands, but environmentalists point to an EPA study that shows the proposal would impact more like 200,000 acres.

"In the modern age, you do not see projects that are allowed to destroy 200,000 acres of wetlands," said Melissa Samet, senior water resources counsel for the National Wildlife Federation. "We are paying billions across the country to try to preserve wetlands, and here they want to direct that this project be constructed based on outdated data when it's been roundly rejected by the EPA, the Department of the Interior and the public."

Using the Corp's numbers, the National Wildlife Federation calculated the size of the impacted acreage is more than eight times the combined affected acreage of all 11 of the previously EPA-vetoed projects.

"For what purpose? The loss of that is enough, but then you look at this project and say, 'What is the point?' And there is no point," Samet said.

While the project is billed as a flood control solution, Samet said 80 percent of the benefits are agricultural, "which likely will come in the form of increased farm subsidy payments to a handful of large landowners."

Supporters of the project say criticisms ignore that the project also includes a 50,000-acre reforestation element, which would offset any environmental damage and actually increase environmental resources in the area.

"They put their blinders on and ignored the fact this is a two-phase project," said Peter Nimrod, chief engineer for the Mississippi Levee Board.

"We considered that and so did EPA when they vetoed the project," Samet said.

In the last decade since Bush's EPA vetoed the project in 2008, flooding has caused \$320 million in damages to the area, Nimrod said, which the pumps could have avoided. That is, the \$220 million project — the cost of which was estimated a decade ago and would likely be much higher now — would have already paid for itself by now, Nimrod said.

Nimrod said the project has for years "been blindsided by misinformation" from "extremist environmental groups."

"When you hear someone say this is a horrible project, they don't know what they're talking about," Nimrod said.

Samet has studied the Yazoo Backwater Pump proposal since the 1990s and she is joined in opposition to the project by hundreds of scientists.

On the other side, the pump has received support from Mississippi leadership as well as economic development groups like the Delta Council. Former Gov. Haley Barbour expressed disappointment after the EPA shot the proposal down, saying the agency acted "unilaterally."

The attempt to push the multimillion-dollar project through a Senate Appropriation bill is paired with the fact U.S. Sen. Thad Cochran, chairman of the Senate Appropriations Committee, has been in the national spotlight over [health issues \(/story/news/politics/2017/12/14/cochrans-health-raises-national-speculation-again-tax-vote-nears/952114001/\)](http://story/news/politics/2017/12/14/cochrans-health-raises-national-speculation-again-tax-vote-nears/952114001/). He is set to step down as chairman at the end of 2018 under term limits, but some speculate whether that day might [come sooner. \(/story/news/politics/2017/12/14/cochrans-health-raises-national-speculation-again-tax-vote-nears/952114001/\)](http://story/news/politics/2017/12/14/cochrans-health-raises-national-speculation-again-tax-vote-nears/952114001/)

"Flood control is costly, but it's not as expensive as floods and the damage they cause," a Cochran spokesperson said in an emailed statement. "Completing this unfinished flood control project would help protect Mississippians in six Mississippi Delta counties, protect wildlife habitat, and save taxpayers in the long run. The Yazoo Backwater flood control project remains authorized and Congress now has an opportunity to make it a reality."

After the veto, the Clarion Ledger published an editorial praising the decision, saying it "is a major step in finally putting this ill-conceived idea to rest. State political leaders should turn their attention toward viable flood control and quit wasting effort on this boondoggle."

Beyond the state's largest newspaper (which called the pump proposal a "Frankenstein monster"), the veto was supported by the U.S. Fish and Wildlife Service, more than 540 independent scientists and 99.9 percent of nearly 48,000 comments from the public, according a Dec. 19 letter sent to Cochran and other Appropriations Committee members from the federal and state Wildlife federation and other conservation and outdoors groups. Nine out of 10 comments submitted by Mississippians favored the veto.

"Sportsmen and women throughout the Mississippi Flyway from Minnesota to Mississippi to Louisiana and across the nation fought hard to stop this harmful project because it would destroy prized wetlands and migratory bird and duck habitat that we care about so deeply," the letter reads. "These wetlands provide some of the most important stopover habitat in the country for migratory birds, including waterfowl that live out much of their lives far beyond the borders of Mississippi. More than 450 species of fish and wildlife, including 257 species of birds — and 20 percent of the nation's duck populations — rely on the wetlands that would be drained by the Yazoo Pumps."

The levee board refutes this finding, saying in a FAQ handout that the pumps will not hurt recreational hunting of waterfowl and wildlife because 1) the area is not a nesting area for waterfowl, 2) the operation will maintain 200,000 acres of flooded timber and fields for winter habitat and 3) the pumps would operate just 3 percent of days during winter duck season.

"The U.S. Army Corps of Engineers, with authority over all aspects of flood control, determined that the project was beneficial and would not result in environmental impacts, particularly with the major compromises in project design and restoration of forested wetlands. The EPA disagreed," the levee board's FAQ reads. "Now Congress has decided, on the same information that was in front of the EPA and the Corps, that the project shall be built."

Contact [Anna Wolfe \(http://www.clarionledger.com/staff/44005/anna-wolfe/\)](http://www.clarionledger.com/staff/44005/anna-wolfe/) at 601-961-7326 or [awolfe@gannett.com \(mailto:awolfe@gannett.com\)](mailto:awolfe@gannett.com). Follow her on [Twitter \(https://twitter.com/ayewolfe\)](https://twitter.com/ayewolfe).

Read or Share this story: <http://www.clarionledger.com/story/news/politics/2017/12/25/controversial-decades-old-yazoo-pump-project-included-cochran-led-appropriation-bill/930719001/>

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# Massive disaster-relief package pending in Congress would reshape federal recovery policy

BY BRYN STOLE | [BSTOLE@THEADVOCATE.COM](mailto:BSTOLE@THEADVOCATE.COM) DEC 23, 2017 - 5:07 PM



Aerial of severe flooding in the Watson area of Livingston Parish on Sunday August 14, 2016.

Advocate staff photo by BILL FEIG

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Bryn Stole

**WASHINGTON** — A massive disaster-relief package awaiting U.S. senators when they return to work in January would offer states far more flexibility in deploying federal recovery dollars and put billions into flood prevention and mitigation projects across the country.

Louisiana officials who've complained for more than a year about federal regulations hindering the recovery from the 2016 floods would see a number of those rules loosened or swept aside by the overhaul.

The \$81 billion package, which passed the U.S. House of Representatives on a bipartisan vote on Thursday, is primarily geared toward recovery from devastating hurricanes and wildfires this year in Texas, Florida, California, Puerto Rico and the U.S. Virgin Islands.

*Story Continued Below*

But a sweeping set of changes to federal disaster policy is also wrapped up in the bill. Those changes, coming on the heels of a set of tax breaks for flood victims signed into law last week, would send more cash to Louisiana residents still working to recover from the floods and give local governments more flexibility in how to rebuild damaged buildings and infrastructure.

Disputes between the House and Senate over some of the bill's provisions, as well as objections from Democrats that the bill doesn't do enough for Puerto Rico and the Virgin Islands, put the package on hold during a flurry of end-of-year votes in Congress.

U.S. Rep. Cedric Richmond, a New Orleans Democrat and chairman of the Congressional Black Caucus, was the sole Louisiana congressman to vote against the bill, saying the bill shorted the Virgin Islands on recovery money.

Richmond said he otherwise supports much of the bill and expects the U.S. Senate to revise its treatment of the U.S. territory.

Members of Louisiana's congressional delegation expressed confidence that lawmakers would move quickly to approve the package in January and that most, if not all, of the bill's reforms would remain intact.

"The reality is the urgency of these dollars and the urgency of these reforms are so great that I think this will absolutely be taken up early in January," said U.S. Rep. Garret Graves, R-Baton Rouge, who authored several of the provisions included in the bill. "I know our delegation will be pushing."

Graves said he doesn't expect to see any wholesale changes to the disaster relief package.

"We simply needed a little more time to work through some of the House language," said U.S. Sen. John Kennedy, R-Louisiana. "It is a priority for the new year."

Louisiana would receive roughly \$600 million in additional federal mitigation money to build more robust flood defenses, restore wetlands or undertake other projects to decrease the risk of future disasters.

Millions more in federal funding for Louisiana could also be available through an array of new grant programs and U.S. Army Corps of Engineers funds included in the bill. More than \$12 billion in competitive grant funds are included in the bill, and Louisiana would be eligible to put in for those dollars.

One long-talked-about project the bill should push forward? The Comite River Diversion Canal, a Corps of Engineers project designed to send water from the Comite to the Mississippi River when the Comite watershed is swollen to flood stage.

Despite a local tax to help fund the project and decades of study by the Corps of Engineers, very little progress has been made on building the diversion canal.

The bill would ease the path for completion by clearing a number of bureaucratic obstacles. For one thing, it would allow state and local governments to blend different pots of federal cash to pay for construction, something largely prohibited under current law.

Congressional sources familiar with negotiations, who spoke on condition of anonymity because they were not authorized to speak publicly about the legislation, told The Advocate the bill is expected to fund dredging of shipping channels across south Louisiana that were silted-in by Hurricane Harvey's storm surge. Other projects across the state could also receive new funding.

Graves said the proposed changes to federal policy are likely to be at least as important to Louisiana as the new federal dollars flowing toward the state.

U.S. Rep. Steve Scalise, R-Jefferson, sees big wins for Louisiana in the disaster relief package — among them funding for hurricane protection and mitigation projects vital to the safety of Louisiana's coastal communities and economy.

"I'm going to continue fighting to ensure these priorities for our state get passed by the Senate and signed into law," Scalise said.

Tops among the changes that Louisiana's legislative delegation wants to see is a waiver that would allow flood-hit homeowners who applied for Small Business Administration loans to tap Restore Louisiana rebuilding grants.

Under current federal law, the 10,000 Louisiana homeowners who were authorized to take out SBA loans must have the value of those awards deducted from the grants, even if those homeowners never actually borrowed the money.

That would change if the bill becomes law. Homeowners who were approved for an SBA loan but never took out the money would become eligible for grants, while others could use Restore Louisiana grants to pay back their SBA loans.

Louisiana lawmakers and bureaucrats had spent months lobbying the Obama and Trump administrations to alter the SBA loan rules to no avail.

A range of other changes would give states far more flexibility to use federal disaster dollars in the wake of future disasters and allow more nonprofits and religious organizations to tap federal money.

- States would be allowed to design their own short- and long-term housing recovery programs, potentially redirecting money FEMA uses to pay for repairs and temporary mobile homes.
- Rules governing temporary housing initiatives, such as Louisiana's Shelter at Home program, would be loosened, giving states more latitude in how those programs are run.
- Churches and other houses of worship would gain eligibility for FEMA disaster assistance under the bill. Religious facilities are largely barred from receiving federal disaster dollars under current law.
- FEMA would be required to work more closely with non-profit food banks and long-term recovery groups — such as Rebuild Louisiana and Samaritan's Purse — in the wake of disasters.
- Food banks that suffered serious damage in disasters — such as the Greater Baton Rouge Food Bank, which saw its warehouse flood last summer — would become eligible for federal repair and rebuilding money.

Local governments also would gain far more latitude when replacing destroyed public buildings and facilities. The federal government currently reimburses local governments for much of the cost of repairing damages, but generally requires structures be rebuilt largely as they stood before the storms.

The pending bill would change that, allowing local officials to build facilities in less vulnerable locations or, in some circumstances, apply the federal money toward construction of different types of facilities.

Local officials would also be able to turn to an arbitration panel to settle disputes with FEMA over the cost of repairs and other disaster-related expenses, while the process federal authorities use to calculate damages to roads would be streamlined.

Graves, who ran Louisiana's Coastal Protection and Restoration Authority under former Gov. Bobby Jindal, said the changes are designed to invest more heavily in preventing damage from future disasters and give state officials greater latitude to tailor recovery programs to local needs.

Graves said he's been pushing similar reforms for years but said the devastating hurricanes in 2017 helped push the issue to the fore in Congress. The large and influential congressional delegations from Texas and Florida have largely signed on to the changes, putting considerable political clout behind them.



## Press Release

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Dec 26, 2017 12:30 UTC

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# Orion Engineered Carbons Announces Signing of Consent Decree With EPA

□ LUXEMBOURG--(Business Wire)--Orion Engineered Carbons S.A. (NYSE: OEC), a worldwide supplier of specialty and high-performance carbon black, today announced that on December 22, 2017, a consent decree between Orion Engineered Carbons LLC ("Orion") and the U.S. Environmental Protection Agency (the "EPA"), as well as the Louisiana Department of Environmental Quality, was lodged in the U.S. District Court for the Western District of Louisiana. Once the consent decree is entered by the court, it will resolve the EPA's claims against Orion that were a part of the EPA's National Enforcement Initiative brought against all U.S. carbon black producers. In this action EPA alleged certain violations of the U.S. Clean Air Act, in particular concerning past failures to obtain PSD and Title V permits and implement Best Available Control Technology (BACT).

With Orion as one of the two remaining carbon black companies signing consent decrees, all five U.S. carbon black producers have settled with the U.S. government.

Under its consent decree, Orion will further upgrade its pollution control technology in order to further reduce SO<sub>2</sub>, NO<sub>x</sub> and particulate matter (PM) emissions at its four U.S. carbon black manufacturing facilities in Ivanhoe (Louisiana), Belpre (Ohio), Borger (Texas), and Orange (Texas). Orion estimates that the capital expenditures for these upgrades, to be incurred over approximately six years, are \$110-140 million.

Orion also agreed to pay a civil penalty of \$800,000 and to perform environmental mitigation projects totaling \$550,000. The penalty and mitigation project costs are in line with the respective reserves already established by the company for this purpose.

As previously disclosed, except for certain allegations by the EPA in 2016 relating to Orion's facility in Orange, Texas, all claims made by the EPA relate to actions that occurred before Orion assumed control over its four U.S. carbon black manufacturing facilities. The facilities were acquired by Orion from a subsidiary of Evonik Industries AG in 2011. Orion's agreement with Evonik in connection with the acquisition provides for a partial indemnity against various exposures, including, but not limited to, capital investments, fines and costs arising in connection with Clean Air Act violations that occurred prior to July 29, 2011.

"We have worked hard to find a solution to this matter which has been a focus for our company since the beginning of Orion group. After several years of review and analysis, we believe this settlement provides the best outcome for all parties. We will be pleased to see this part of the story come to a close so that we can begin implementing the actions necessary to ensure a sustainable supply of U.S. produced carbon black for our customers," said Orion's CEO, Jack Clem.

## About Orion Engineered Carbons S.A.

Orion is a worldwide supplier of Carbon Black. We produce a broad range of Carbon Blacks that include high-performance Specialty Gas Blacks, Furnace Blacks, Lamp Blacks,

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